

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission

From: Planning Division

Date: February 25, 2004

Re: **REZONING: R-2, Low-Medium Density, Single Family Residential, to B-5C, General Business (Conditional) at 5605 Richmond Highway.**
FUTURE LAND USE MAP AMENDMENT: Low Density Residential to Employment 2.

I. PETITIONER

Jim Hartman, President, Truck Enterprises, Inc., 3440 South Main Street, Harrisonburg, VA 22801

Representative: Trent Warner, WW Associates, Inc., 147 Mill Ridge Road, Lynchburg, VA 24502

II. LOCATION

The subject property is a tract of about 17.5 acres located at 5605 Richmond Highway, Lynchburg, VA 24504.

Property Owners: Thomas L. Phillips & Sharon C. Burruss, P.O. Box 4559, Glen Allen, VA 23058.

III. PURPOSE

The purpose of this petition is to allow construction and operation of a tractor-trailer dealership (new and used), with repair and parts facilities.

IV. SUMMARY

- Petition will agree with the Comprehensive Plan when the Future Land Use Map is amended to designate this area as Employment 2.
- Petition agrees with the Zoning Ordinance in that rezoning to B-5C, General Business (Conditional) will permit development of this parcel as a truck dealership.
- Petition proposes the use of this parcel as a truck dealership with repair and parts facilities

The Planning Division recommends amendment of the Future Land Use Map and approval of the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* currently recommends that this area be restricted to low density residential development. This designation was chosen for several reasons, including lack of sewer service to the area and proximity to the new Route 460/Madison Heights Bypass. Now that Route 460 construction is underway, it is evident that noise levels will be high enough and views of the roadway so apparent that this site is more appropriately designated Employment 2. The size of the site, proximity to

an entrance/exit from Route 460, and the visibility of the site make it most appropriate for a business that seeks visibility and access from a major highway.

2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-2, Single-Family Residential zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.
3. **Proffers.** The petitioner voluntarily submitted the following proffers with the rezoning application:
 - The Owner will build the facility in accordance with the site plan by WW Associates, Inc., entitled, “Truck Enterprises, Inc., Truck Dealership Master Plan,” dated January 20, 2004.
 - The area shown as “Future Development” on the master plan will be a business relative to a dealership, such as: a trailer dealership, rebuild shop, or, possibly, a customer warehouse facility. It would not be used for a truck stop, motel, restaurant, or retail shops as the Owner recognizes the City has other areas designated for these uses and they would not correlate with the intended dealership.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - 7/08/2003: The City Council approved the Tyreeanna/Pleasant Valley Neighborhood Plan, including a Future Land Use Map, as a part of the City’s Comprehensive Plan.
 - 3/14/2000: The City Council approved a CUP for a new sanctuary, parking area, child care facility, and gymnasium for Pleasant Valley Baptist Church at 5517 Richmond Highway.
 - 5/13/1997: The City Council approved a CUP for installation of telecommunications equipment by C.F.W. Communications on a parcel between 5709 Richmond Highway and the City corporate limit.
6. **Site Description.** The subject property is bounded to the east by the right-of-way for Route 460/Madison Heights Bypass, to the south by the old Route 460, to the west by an institutional use (Pleasant Valley Baptist Church) and a nonconforming commercial use (tobacco warehouse), and to the north by the CSX Railroad and the James River.
7. **Proposed Use of Property.** The purpose of the rezoning is to allow construction and operation of a truck dealership for new and used vehicles, along with repair and parts facilities.
8. **Traffic and Parking.** The City Traffic Engineer requested that the applicant relocate the entrance away from the diverging portion of the “old” 460 westbound lane shift. The applicant has revised the site plan to show this relocation. The proposed use is not expected to generate a significant amount of traffic.

9. **Storm Water Management.** The petitioner proposes to grade the site so that post-development run-off will flow to the natural channel at the western end of the property. The proposed pavement and new impervious area will be treated by an extended detention pond that will be sized for potential development run-off. Post-development flow from the site will equal pre-development flows for the 10-year storm. The existing stormwater receiving channel will be evaluated for the 2-year storm during the design process to ensure adequate conveyance.

City staff recommends that additional landscaping for both aesthetic and water quality management purposes be added. If the additional landscaping is added to the site plan as recommended, the proposed method of detention and conveyance are acceptable to staff providing volume and velocity requirements are met for the respective storm events.

10. **Impact.** The applicant has proposed to locate this truck dealership in a gateway area, as designated in the City's Comprehensive Plan. The first experience of Lynchburg that travelers southbound on the Madison Heights Bypass will have will be the sight of this dealership. The applicant has chosen this site because of its visibility and easy access from Route 460. The applicant has indicated willingness to work with the City to ensure that the resulting building(s), landscaping, and signage are attractive as seen from the roadway. For example, the City would prefer for the end of the building that faces Route 460 to be made of brick and for the signs to be small monument-type in keeping with the gateway designation. However the proffers submitted by the petitioner due not adequately address these concerns.

Truck Enterprises, Inc., is a family-owned business, with over 40 years of experience in Virginia. Their headquarters is in Harrisonburg, Virginia, and the proposed Lynchburg facility will be the company's ninth. At this time, the applicant has a parts sales facility elsewhere in Lynchburg that will relocate to the Richmond Highway site. The applicant plans to have 25 employees working at the site soon after construction. When two-shift operations begin after the first year of operation, there will be an increase to 35 employees. Ultimately, the facility could operate with three shifts with a total of about 50 employees. The new business will bring significant tax revenues to the City, as well as possible jobs for the residents of the Tyreeanna/Pleasant Valley neighborhood and the City.

The applicant has met with neighborhood residents, including several members of the adjacent Pleasant Valley Baptist Church. The applicant's site plan has been designed to minimize any impact on the church. The dealership will not operate on Sunday, so there will be no noise or traffic generated that might conflict with church use on its busiest day of the week. During the rest of the week, noise is expected to be minimal because the doors to the service bays will open away from the church. As noted above, the dealership is not expected to generate significant amounts of traffic, so there should be little, if any, conflict between church or other neighborhood traffic Monday through Saturday.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on January 6, 2004. A number of comments regarding Erosion and Sediment Control/Stormwater Management, signage, landscaping, architectural concerns,

and similar matters have been presented to the applicant. All such comments will be addressed by the applicant prior to final site plan approval.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council amendment of the Future Land Use Map for the property at 5605 Richmond Highway from Low Density Residential to Employment 2 .

Based on the preceding Findings of Fact, the Planning Commission recommends approval of the petition of Jim Hartman, President, Truck Enterprises, Inc., for a rezoning at 5605 Richmond Highway from R-2, Single Family Residential to B-5C, General Business (Conditional) for the to allow construction and operation of a truck dealership.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. John W. Jennings, Fire Marshal
Ms. Judith C. Wiegand, Senior Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Karl Cooler, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Environmental Planner
Mr. Trent Warner, Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
(see attached map)
- 2. Vicinity Proposed Land Use**
(see attached map)
- 3. Site Plan**

(see attached site plans)

4. Narrative

(see attached narrative)